

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ELIZABETH SIMS,

Plaintiff,

v.

NANCY A. BERRYHILL,

Defendant.

Case No. [18-cv-07153-TSH](#)

ORDER TO SHOW CAUSE

Plaintiff Elizabeth Sims filed her complaint on November 26, 2018. ECF No. 1. Defendant Nancy A. Berryhill, the Acting Commissioner of Social Security, filed the answer to the complaint on April 26, 2019. ECF No. 16. Plaintiff was to serve and file a motion for summary judgment or for remand within twenty-eight days of service of Defendant's answer. ECF No. 5, ¶ 2. It has now been thirty-eight days since the Defendant's answer, and the Court has not received a motion for summary judgment or for remand from Plaintiff.

Accordingly, the Court **ORDERS** Plaintiff Elizabeth Sims to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a declaration by June 7, 2019. Notice is hereby provided that failure to file a written response will be deemed an admission that Plaintiff does not intend to prosecute, and the case will be dismissed without prejudice. Thus, it is imperative the Court receive a written response by the deadline above.

IT IS SO ORDERED.

Dated: June 3, 2019


THOMAS S. HIXSON
United States Magistrate Judge